HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No. 5055 OF 2006

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ORDER:

This Writ Petition is filed seeking Writ of Mandamus to declare the action of the respondents in not continuing the petitioner to run restaurant (Wayside Amenity) at Palamaner in Chittoor District as illegal and arbitrary.

Andhra Pradesh Tourism Development Corporation Limited has initially leased out its premises for running Wayside Amenity (restaurant) for a period of three years commencing from 20-3-1999. Initially the lease was in favour of one late Y.Ravindra Reddy, who was brother-in-law of the petitioner. During the subsistence of the said lease, policy was changed with regard to period of lease and the lease was extended up to 19-3-2004. After death of said Y.Ravindra Reddy, the petitioner claiming right over the said lease, sought extension of the lease, which was granted from 20-3-2004 to 19-3-2005. It is the case of the petitioner, that in view of the latter dated 24-7-1999 issued by the second respondent herein, initially the lease is for a period of five years and renewable for further period of three years; as such, the petitioner is entitle to continue her business in the leased premises up to 19-3-2007.

Even from the contents of the letter dated 24-7-1999 in proceedings No. TTDC/EO/Lease/424/98, lease was granted only for a period of five years. Merely because there is provision to renew the lease for a period of three years, in absence of any such renewal, the petitioner as a matter of right cannot seek her continuance in the premises up to 19-3-2007. After completion of initial five years lease period, the lease was extended only up to 19-3-2005. In that view of the matter in absence of any further renewal in favour of the petitioner, she has no right to continue in the premises. In that view of the matter, I do not find any valid ground in this writ petition.

The Writ Petition is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATED: 16-03-2005.

Msnr